

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

USAMA JAMIL HAMAMA, *et al.*,

Petitioners and Plaintiffs,

v.

REBECCA ADDUCCI, *et al.*,

Respondents and Defendants.

Case No. 2:17-cv-11910

Hon. Mark A. Goldsmith

Mag. David R. Grand

Class Action

**RESPONSE TO RESPONDENTS' MOTION FOR STAY OF CASE
DEADLINES (ECF 498)**

In light of the current lapse in appropriations, Respondents have asked this Court for a stay of case deadlines. Petitioners do not oppose this request, but ask that the Court make clear that any such stay applies to Petitioners' as well as Respondents' deadlines. In addition, Petitioners request that the Court require a joint statement of issues be submitted by the parties within 3 business days after appropriations resume, setting out proposed new deadlines and raising any other issues appropriate for court resolution.

There is one exception. If the Court grants Respondents' stay request, that should not prolong the detention of individual class members who, pursuant to ECF 497, dismiss their individual habeas petitions. Prior to the government shutdown, Petitioners discussed this issue with Respondents' counsel and it is

Petitioners' understanding that Respondents agree that the appropriate procedure, even during the shutdown, is for Petitioners to provide the Court with a proposed order pursuant to ECF 497. Petitioners duly shared the language of that order with Respondents Counsel prior to the shutdown. Once the Court signs an order, Respondents will have 7 days to release or remove him, in accordance with ECF 490 or subsequent implementing orders, or to file a memorandum explaining why release is inappropriate under this Court's orders. Petitioners strongly oppose any delay in this schedule, notwithstanding the shutdown; obviously such a delay would be extraordinarily prejudicial to the individual class members affected. Even during the shutdown, Respondents' detention operations are continuing, and this properly includes *release* from detention.

Respectfully submitted,

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Dated: December 27, 2018

CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2018, I electronically filed the foregoing papers with the Clerk of the Court using the ECF system which will send notification of such filing to all ECF filers of record.

By: /s/Kimberly L. Scott

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